

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 3284 - SB 3413

February 12, 2010

SUMMARY OF BILL: Includes a reckless act resulting in death or serious bodily injury of another while operating a motor vehicle or watercraft to the acts that a crime victim may be eligible to receive compensation from the Criminal Injuries Compensation Fund.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$399,000/FY10-11/Criminal Injuries
Compensation Fund
\$339,100/FY11-12/Criminal Injuries
Compensation Fund
\$159,600/FY12-13 & subsequent years/
Criminal Injuries Compensation Fund**

**Increase Federal Expenditures - \$59,900/FY11-12
\$239,400/FY12-13 & subsequent years**

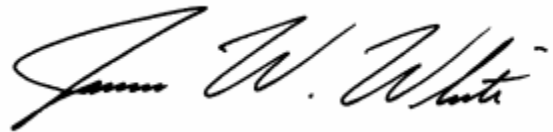
Assumptions:

- Current law allows compensation to victims from the CIC Fund for crimes involving a motor vehicle or watercraft only if there is evidence that the vehicle or watercraft was used with criminal intent to inflict injury, if there is evidence of drug or alcohol use, or when a crime involved failure to stop at the scene of an accident in violation of Tenn. Code Ann. § 55-10-101 which directly caused death or serious bodily injury.
- According to the Department of Safety, there were approximately 6,700 reckless driving convictions in FY08-09. According to the Administrative Office of the Courts, there was an average of 76 convictions for vehicular assault and 63 convictions of vehicular homicide in each of the past 10 years.
- According to the Office of the State Treasurer, the average payment for claims involving motor vehicles is \$10,500. This bill will result in an additional 38 new claims not otherwise eligible.

- Claims will be partially funded by the federal government, beginning in FY11-12. Due to the different beginning date of the federal fiscal year, the federal share will be 25 percent of 60 percent of the total in FY11-12 ($25\% \times 60\% \times \$399,000 = \$59,850$). In FY12-13 and subsequent years, the federal share will be 60 percent of the total ($60\% \times \$399,000 = \$239,400$).

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc